

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

2:15-cr-00198-LDG-NJK

V.

EDWIN FUJINAGA,
JUNZO SUZUKI, and
PAUL SUZUKI,

Defendants.

ORDER

This matter coming before the Court on the United States' Motion for Supplemental Scheduling Order, the premises therein considered, and good cause showing, the Court ORDERS as follows:

1. Motion Seeking Release of Funds.

Any motion seeking a release of Defendant FUJINAGA's assets for the purpose of retaining an attorney shall be filed no later November 20, 2015, with responses due 14 days thereafter, and optional replies due seven (7) days after the filing of responses. To the extent such a motion seeks a release of funds that are restrained by an order of Judge Mahan in *Sec. & Exch. Comm'n v. Fujinaga*, No. 2:13-cv-1658, such motion shall be filed in that case.

2. Notice of Permanent Appearance.

No later than seven (7) days after a ruling on the motion described in Paragraph One, counsel for Defendant FUJINAGA shall file a Notice with this Court in which he shall inform the Court whether he will be trial counsel for Defendant FUJINAGA or not, and if not, how Defendant FUJINAGA intends to proceed with respect to the question of representation.

1 3. Pretrial Motions.

2 No pretrial motions are pending at this time. All such motions, including but not limited
3 to motions alleging the defenses, objections, or requests set forth in Federal Rule of Criminal
4 Procedure 12(b)(3), shall be filed no later than November 20, 2015, with responses due 14 days
5 thereafter, and optional replies due seven (7) days after the filing of responses.

6 4. December 17, 2015, Status Conference.

7 At the December 17, 2015, continuation of the status conference in this case:

- 8 a. Defendant FUJINAGA is required to appear in person, so that, if necessary, the
9 Court may address any issues pertaining to his ability to retain counsel;
- 10 b. The parties will describe the status of discovery;
- 11 c. The United States will provide an update regarding the status of Defendants
12 JUNZO SUZUKI and PAUL SUZUKI;
- 13 d. The parties will either propose an agreed upon schedule for additional pretrial
14 motions and a trial date, or will present their respective proposals for such a
15 schedule to the Court.

16 5. Continued Exclusion of Time Pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii).

17 The Court reiterates its July 22, 2015 finding that this is a complex case within the meaning
18 of 18 U.S.C. § 3161(h)(7)(B)(ii) because, among other things, the nature of the prosecution is such
19 that it is unreasonable to expect adequate trial preparation within the time limits prescribed by the
20 Speedy Trial Act, as evidenced by, for example, the fact that counsel for Defendant FUJINAGA
21 requested at the status conference held September 14, 2015, that they be given additional time to
22 review discovery and prepare dispositive motions. Accordingly, all time from the entry of
23 defendant FUJINAGA's plea in this case until the trial of this matter shall be excluded under 18
24


1 U.S.C. § 3161(h)(7)(A), as the ends of justice outweigh the interests of the public and defendant
2 in a speedy trial.

3 This Proposed Schedule pertains only to defendant FUJINAGA, and imposes none of the
4 foregoing deadlines or obligations upon the United States with respect to defendants JUNZO
5 SUZUKI and PAUL SUZUKI.

6
7 **IT IS SO ORDERED.**

8 Dated: 4 November 2015

9 ENTERED: _____


HON. LLOYD D. GEORGE
United States District Judge